

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1) SHIRLEY DIONNE GARRETT
a/k/a SHIRLEY GARRETT AND/OR
SHIRLEY D. WEBSTER,

Plaintiff,

v.

Case No. 18-CV-00367-CVE-FHM

(1) CHIEF JUDGE TIMOTHY
TYMKOVECH,

Removed from Nowata County
District Court Case No. CJ-2018-16

(2) MONROE G. McKAY,

(3) STEPHANIE SEYMOUR,

(4) JOHN C. EROFILIO,

(5) BOBBY BALVOCK,

(6) DAVID M. EBEL,

(7) PAUL KELLY,

(8) MARY BRISCOE,

(9) CARLOS LUCERO,

(10) MICHAEL MURPHY,

(11) HARRY HARTZ,

(12) TERRANCE BRIEN,

(13) JEROME HOLMES,

(14) SCOTT M. MATHESON,

(15) ROBERT E. BOCHAROCH,

(16) GREGORY PHILLIPS,

(17) CAROLYN McHUGH,

(18) NANCY L. MORITZ,

(19) JAY HARE,

(20) DORTHAN EAGLE,

(21) LOTUS and ALL OF CASE # 175105

10TH CIRCUIT,

(22) JEFF SESSIONS,

Defendants.

STATUS REPORT ON REMOVED ACTION

This form must be filed by the removing party at the time of filing the notice of removal or within five (5) days of the filing of the notice of removal in the U.S. District Court. **Note:** Additional sheets may be used as necessary.

I. State Court Information:

Identify the court from which the case is being removed.
Specify the number assigned to the case in that court.

Court: Nowata County District Court
Number: CJ-2018-16

II. Style of the Case

Include all termed/dismissed and pending Plaintiff(s), Defendant(s), Intervenor(s), Counter-Claimant(s), Counter-Defendant(s), Cross-Claimant(s), Cross-Defendant(s), Third-Party Plaintiff(s), and Third-Party

Defendant(s). Indicate the party type and the attorney(s) of record for each party.

Party(ies)	Party Type	Attorney(s) of Record
(1) Shirley Dionne Garrett A/K/A Shirley Garrett And/Or Shirley D. Webster	Plaintiff	<i>PRO SE</i> PLAINTIFF PO BOX 217 HC 61 LENAPAH, OK 74042
(1) Chief Judge Timothy Tymkovech, (2) Monroe G. McKay, (3) Stephanie Seymour, (4) John C. Erofilio, (5) Bobby Balvock, (6) David M. Ebel, (7) Paul Kelly, (8) Mary Briscoe, (9) Carlos Lucero, (10) Michael Murphy, (11) Harry Hartz, (12) Terrance Brien, (13) Jerome Holmes, (14) Scott M. Matheson, (15) Robert E. Bocharoch, (16) Gregory Phillips, (17) Carolyn Mchugh, (18) Nancy L. Moritz, (22) Jeff Sessions	Defendants	RACHAEL F. ZINTGRAFF, OBA No. 31597 Assistant United States Attorney 110 West 7th Street, Suite 300 Tulsa, Oklahoma 74119 T: 918-382-2719 F: 918-560-7948 Rachael.Zintgraff@usdoj.gov <i>Attorney for Federal Defendants in their Official Capacity</i>
(19) Jay Hare, (20) Dorthan Eagle, (21) Lotus And All Of Case # 175105 10th Circuit,	Defendants	Unknown

III. Jury Demand

Was a Jury Demand made in State Court? ☐ Yes ☐ Yes, but rescinded ☒ No

Requesting Party(ies)	Date of Request
_____	_____
_____	_____
_____	_____
_____	_____

IV. Complaints, Counter-Claims, Cross-Claims, Third Party Complaints, and Intervenor Complaints

List all complaint-type documents (Complaints, Amended Complaints, Counter-Claims, Amended Counter-Claims, Cross-Claims, Amended Cross-Claims, Third-Party Complaints, Amended Third-Party Complaints, Intervenor Complaints, and Amended Intervenor Complaints) filed in State Court. Indicate filing party(ies), against whom, and date filed.

<u>Complaint-Type Document(s)</u>	<u>Filing Party(ies)</u>	<u>Against Whom</u>	<u>Date Filed</u>
<u>Petition</u>	<u>Plaintiff</u>	<u>Defendants</u>	<u>3-01-2018</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

V. Unserved Parties

List parties not served at time of case removal.

<u>Unserved Party(ies)</u>	<u>Reason(s) for No Service</u>
<u>(1) Chief Judge Timothy Tymkovech,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(2) Monroe G. McKay,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(3) Stephanie Seymour,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(4) John C. Erofilio,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(5) Bobby Balvock,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(6) David M. Ebel,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(7) Paul Kelly,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(8) Mary Briscoe,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(9) Carlos Lucero,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(10) Michael Murphy,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(11) Harry Hartz,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(12) Terrance Brien,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(13) Jerome Holmes,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(14) Scott M. Matheson,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(15) Robert E. Bocharoch,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(16) Gregory Phillips,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(17) Carolyn Mchugh,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(18) Nancy L. Moritz,</u>	<u>Insufficient service under Fed. R. Civ. 4(i)</u>
<u>(19) Jay Hare,</u>	<u>Insufficient service under Fed. R. Civ. 4</u>
<u> </u>	<u> </u>

(20) Dorthan Eagle,	Insufficient service under Fed. R. Civ. 4
(21) Lotus And All Of Case #175105 10th Circuit,	Insufficient service under Fed. R. Civ. 4
(22) Jeff Sessions,	Insufficient service under Fed. R. Civ. 4(i)

VI. Answer

Was an Answer made in State Court? Yes ☐ No ☒

If **Yes**, indicate document answered, filing party(ies), and date filed.

Document Answered	Filing Party(ies)	Date Filed

VII. Non-suited, Dismissed or Terminated Parties

List party(ies) nonsuited, dismissed or terminated from the State Court action. Indicate date of termination/dismissal.

Nonsuited, Dismissed or Terminated Party(ies)	Date Terminated/Dismissed
None	

VIII. Remaining Claims of the Parties

List all pending complaint-type documents from Section IV. Indicate filing party(ies), against whom and date filed.

Pending Complaint-Type Document(s)	Filing Party(ies)	Against Whom	Date Filed
Petition	Plaintiff	Defendants	3-01-2018

IX. Pending Motions

Please list all contested motions still pending in the case and indicate the filing party and date filed.

<u>Pending Motions</u>	<u>Filing Party(ies)</u>	<u>Date Filed</u>
<u>Motion to Dismiss</u>	<u>United States of America</u>	<u>7-18-2018</u>
<u>Motion for Default Judgment</u>	<u>Plaintiff</u>	<u>5-10-2018</u>
<u> </u>	<u> </u>	<u> </u>

Respectfully submitted,

UNITED STATES OF AMERICA

R. TRENT SHORES
United States Attorney

s/Rachael F. Zintgraff
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CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2018, via U.S. Mail, I transmitted the forgoing to the following who is not an ECF registrant:

Shirley Dionne Garrett
PO Box 217 HC 61
Lenapah, OK 74042
Pro Se Plaintiff

s/Sarah Coffey
Sarah Coffey
Paralegal Specialist